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TO

Amend the Law relating to the distribution of the A.D. 1912.
 Estates of Intestates in Ireland.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1.—(1) On the death of a married woman intestate leaving her husband and also children or remoter issue (whether by such husband or by any former husband) her surviving, one third part and, except as herein-after provided, no more, of the personal estate of such intestate shall pass to such surviving husband, and the remaining two third parts of such estate shall pass to the children or remoter issue of such intestate, surviving her as aforesaid, in the same shares, and in the same manner in every respect, as if such actually surviving husband had pre-deceased such intestate, and such two third parts were the whole personal estate of such intestate:

Provision in case of death of married woman.

- 20 Provided that if only one child of any such intestate either shall survive such intestate or, having predeceased her, shall have left issue who survive her, one-half of the personal estate of such intestate shall pass to her surviving husband, and the remaining one-half shall pass to such child or issue in manner aforesaid.

- 25 (2) On the death of any married woman intestate to which this section applies, no title to any part of the personal estate of such intestate shall pass to her surviving husband until letters of administration intestate of the estate of such intestate shall have been issued, and as between such husband and the children or remoter issue of such intestate the right to the grant of such [Bill 47].

A.D. 1912. letters of administration shall be the same as the right to such a grant under the existing law as between the widow and the children or remoter issue of a married man on his death intestate.

(3) For the purposes of this section, the expression "personal estate" means the net value of the gross personal assets passing under such an intestacy as aforesaid after deduction of funeral and testamentary expenses, debts, estate duty, and all other charges properly payable out of such gross personal assets.

(4) Subsections (1) and (3) of this section shall apply in the case of a partial intestacy as if the portion of personal assets in respect of which any such married woman shall have died intestate were the whole personal assets passing on a total intestacy.

Provision
regarding
the children
of deceased
nephews and
nieces of
intestates.

2.—(1) For the purposes of the distribution of the personal estate of any intestate (including, in the case of a partial intestacy, the portion of personal estate passing under such partial intestacy), any share of such personal estate which would pass to a nephew or niece of such intestate (whether directly or as representative or one of the representatives of a deceased brother or sister of such intestate), if such nephew or niece had survived such intestate, shall, in the event of such nephew or niece having predeceased such intestate leaving a child or children who survive such intestate, pass, as the case may be, to such child or in equal shares to such children.

(2) The expression "personal estate" in this section shall have the same meaning as in section one of this Act.

Application
of Act.

3. This Act shall apply only to intestacies arising on deaths occurring after the *passing of this Act*.

Extension of
Act.

4. This Act shall apply to Ireland only.

Short title.

5. This Act may be cited as the Statute of Distribution (Ireland) Act, 1912, and the Statutes of Distribution extending to Ireland, the Intestates Estates Act, 1890, and this Act may be cited together as the Intestacy Acts, 1695 to 1912.

Intestate's Estates (Ireland).

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To amend the Law relating to the
distribution of the Estates of
Intestates in Ireland.

Presented by Mr. Keating,

supported by

Mr. Cleave.

*Ordered, by The House of Commons, to be Printed,
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[Bill 47]